

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45437 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- MAHILA P.S. District- Bhojpur

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1. SHAKUNTALA DEVI W/o Laxman Sonar @ Laxman Prasad Verma R/o Vill-Churamanpur, P.S.-Buxar (Ind.), Dist.-Buxar
 2. PINTU KUMAR VERMA S/o Laxman Sonar @ Laxman Prasad Verma R/o Vill-Churamanpur, P.S.-Buxar (Ind.), Dist.-Buxar
 3. ANITA DEVI D/o Laxman Sonar @ Laxman Prasad Verma, W/o Rahul Arya R/o vill.-Nagra, P.S. and Dist.-Baliya (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. KANCHAN DEVI W/o Govind Kumar Verma, Daughter of R/o Vill.-Rudranagar, P.S.-Shahpur, Dist.-Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners, learned
APP for the State as also the Informant.

The petitioners apprehend their arrest in connection with Mahila P.S. Case No. 08 of 2023 for the offence registered under sections 341, 323, 504, 506, 498(A) and 34 of the Indian Penal Code and section 3/4 of the D.P. Act lodged on 15.02.2023 by the informant, Kanchan Devi.

As per the prosecution story, the informant's daughter was married to Govind Kumar Verma in 2018 but always tortured for dowry as also his family members and fed up with



that, the FIR.

It is the case of the learned Counsel for the petitioners that they being mother-in-law, brother-in-law and sister-in-law living separately have nothing to do with the acrimony between the couple.

It is his further submission that the husband has also filed anticipatory bail and he wants to end the acrimony and keep his wife.

Learned Counsel appearing for the informant, on the other hand, submits that these petitioners also played role in the assault of the lady.

In view of the submissions put forward by the learned Counsel for the petitioners, they are family members and will have to face the trial, FIR having been lodged, this Court is inclined to extend them privilege of anticipatory bail.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Mahila P.S. Case No. 08 of 2023 subject to condition as laid down under Section



438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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